

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN WALLMAR RODRIGUEZ,

Plaintiff,

v.

3:05-CV-0111
(TJM)(DEP)

FELIX ROMA BAKERY,

Defendant.

APPEARANCES

JOHN WALLMAR RODRIGUEZ
Plaintiff *pro se*

THOMAS J. MCAVOY, Senior Judge

ORDER

The Clerk of the Court has sent Plaintiff John Wallmar Rodriguez's amended complaint to the Court for its review. The amended complaint was submitted by Plaintiff in compliance with the Order issued by this Court on February 28, 2005.¹ Dkt. No. 3.

In Plaintiff's *pro se* amended complaint, he alleges that while employed by the defendant, he was discriminated against on account of his race, sex, and national origin, and eventually unfairly terminated from his employment. For a more complete statement of Plaintiff's claims, reference is made to his amended complaint.² Dkt. No. 15.

The Court will direct service of the amended complaint.

¹ Plaintiff requested and received multiple extensions of time to file his amended complaint.

² Along with his original complaint, Plaintiff provided the Court with a copy of the right to sue letter, dated November 5, 2004, issued by the Equal Employment Opportunity Commission ("EEOC") regarding the above allegations of discrimination. *See* Dkt. No. at 6. Plaintiff's original complaint was filed with the Court on January 28, 2005.

WHEREFORE, it is hereby

ORDERED, that the Clerk shall issue a summons and forward it, along with a copy of the complaint and a packet containing General Order 25, which sets forth the Civil Case Management Plan used by the Northern District of New York, to the United States Marshal for service upon the named Defendant; and it is further

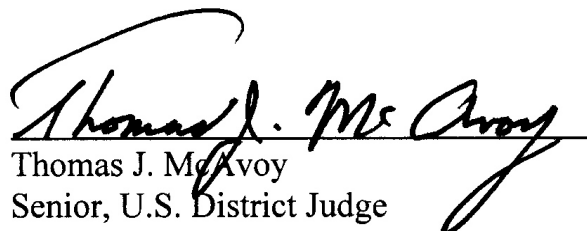
ORDERED, that a formal response to Plaintiff's complaint be filed by the Defendant or its counsel as provided for in the Federal Rules of Civil Procedure subsequent to service of process on the Defendant; and it is further

ORDERED, that all pleadings, motions and other documents relating to this action must bear the case number assigned to this action and be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. **Any paper sent by a party to the Court or the Clerk must be accompanied by a certificate showing that a true and correct copy of it was mailed to all opposing parties or their counsel. Any document received by the Clerk or the Court which does not include a proper certificate of service will be returned, without processing.**

Plaintiff must comply with requests by the Clerk's Office for any documents that are necessary to maintain this action. All parties must comply with Local Rule 7.1 of the Northern District of New York in filing motions; and it is further

ORDERED, that the Clerk of the Court serve a copy of this Order on Plaintiff by regular mail.

Dated: February 23, 2006


Thomas J. McAvoy
- Senior, U.S. District Judge